

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROY JOHNSON,

Plaintiff,

No. C 10-04633 JSW

v.

COUNTY OF MONTEREY,

Defendant.

**ORDER DISCHARGING ORDER
TO SHOW CAUSE**

This matter is set for a hearing on February 24, 2012 on Defendants' motion to dismiss Plaintiff's First Amended Complaint or, in the alternative, for summary judgment, and motion to strike prayer for punitive damages. On January 5, 2012, this Court issued an order to show cause to Plaintiff as to why this case should not be dismissed for failure to prosecute. However, upon further review of the record, the Court finds that Plaintiff opposed the motion to dismiss while the case was pending before Judge Fogel and that the motion is fully briefed. The Court therefore DISCHARGES the order to show cause. No further submissions are required from either party.

IT IS SO ORDERED.

Dated: January 17, 2012


JEFFREY B. WHITE
UNITED STATES DISTRICT JUDGE
By: HONORABLE JAMES WARE 